

Fawkham Neighbourhood Plan 2023-2040

Decision Statement

Summary

Following a favourable referendum result, notice is given that Sevenoaks District Council, at its meeting on 25 February 2025, 'made' the Fawkham Neighbourhood Plan 2023-2040, meaning that the Neighbourhood Plan comes into force with immediate effect.

Since a positive referendum result on 13 February 2025, the Neighbourhood Plan has had full weight and forms part of the statutory Development Plan for the area and, as such, is a key policy document in the determination of planning applications for development within the Fawkham parish boundary.

The 'made' Development Plan can be viewed on the Council's website at:

www.sevenoaks.gov.uk/fawkhamnp

Background

Fawkham Parish Council, as the Qualifying Body, applied for Fawkham Parish to be designated a Neighbourhood Area under Part 2 of the Neighbourhood Planning (General) Regulations 2012. It was designated as a Neighbourhood Area in May 2021.

Following consultation on a draft (pre-submission) Plan, the Plan was submitted to Sevenoaks District Council and, in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012, the District Council publicised the Plan from 7 June to 19 July 2024.

The Plan was submitted for examination at the following the Regulation 16 consultation and was received by the independent examiner on 22 July 2024.

Sevenoaks District Council appointed Derek Stebbing BA (Hons) DipEP MRTPI, of Intelligent Plans and Examinations (IPE), to examine the Plan.

The Examiner issued his final report on 24 October 2024, concluding that the Plan, subject to certain modifications proposed in his report, did meet the basic conditions, as set out in legislation, and is compatible with Schedule 4B of the Town and Country Planning Act 1990 and could therefore proceed to local referendum.

The 'referendum area' was determined to be the Fawkham Parish Council administrative boundary.

3. Decision and Reasons

With the incorporation of the Examiner's modifications, the District Council agreed that the Neighbourhood Plan met the basic conditions and other requirements and could be put forward for a local referendum. This was held on 13 February 2025.

The referendum question was *'Do you want Sevenoaks District Council to use the Neighbourhood Plan for Fawkham to help it decide planning applications in the Neighbourhood Area?'*

The outcome was that 150 (84.7%) of the people who voted were in favour of the Plan.

Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that the District Council must 'make' the Neighbourhood Plan if more than half of those voting have voted in favour of the Plan, unless (under Para. 38A(6)) this would breach or would otherwise be incompatible with an EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

In line with the outcome of the referendum, and having further considered whether making the Neighbourhood Plan would breach or would otherwise be incompatible with any EU obligation or any of the Convention rights, the District Council resolved, at its meeting on 25 February 2025 that:

Following a favourable local Referendum result, the Fawkham Neighbourhood Plan 2023-2040, incorporating the Examiner's modifications, as presented to local Referendum, be "made" (adopted) with immediate effect and form part of the Council's Development Plan, to help determine planning applications in the Neighbourhood Area.

4. Availability of documents

The 'made' Fawkham Neighbourhood Plan, Declaration of Referendum results and related documents can be viewed on the Council's website at:

www.sevenoaks.gov.uk/fawkhamnp

The report to Full Council, dated 25 February 2025, in relation to the 'making' of the Neighbourhood Plan can be viewed at:

<https://cds.sevenoaks.gov.uk/ieListMeetings.aspx?CId=121&Year=0&J=1>

For further information, please contact the Planning Policy Team by email at: planning.policy@sevenoaks.gov.uk or by telephone on 01732 227000.